

**Article 8: Airports**

*(“Airports” added 9–16–1969 by O–10138 N.S.)*

**Division 1: Airports**

*(“Airports” added 8–4–1970 by O–10355 N.S.)*

*(Secs. 68.00 through 68.53 renumbered*

*as Secs. 68.0100 through 68.0153*

*respectively 8–4–1970 by O–10355 N.S.)*

**§68.0100 Purpose and Intent**

It is the purpose and intent of this article to provide rules and regulations governing the conduct of operations at all City– owned or controlled airports.

*(Renumbered from Sec. 68.00 on 8–4–1970 by O–10355 N.S.)*

**§68.0101 Definitions**

- (a) AIRCRAFT means any contrivance, now known or hereafter invented, used or designed for the navigation of or flight in the air.
- (b) COMMERCIAL AIRCRAFT means any aircraft used for the transportation for hire of passengers, cargo or mail where a City airport is the destination or point of origin of its flight, and any aircraft engaged in commercial utility work including photo, patrol, forestry, advertising, agricultural and flight training where a City airport is used for takeoff or landing.
- (c) AIRPORT means the entire area of any airport owned or operated by The City of San Diego.
- (d) CITY means The City of San Diego.
- (e) DIRECTOR means the Director of the Airports Department of the City and his authorized assistants, deputies, employees and representatives.
- (f) FIELD AREA means that area within the boundaries of an airport not open to the general public, including, but not limited to, passenger ramp gates, aircraft parking areas, aircraft operating areas, storage areas, certain sidewalks and buildings, and any other area so designated by the Director.

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- (g) FIRE MARSHAL means the Fire Marshal of the City and his authorized assistants, deputies, employees and representatives.
- (h) LANDING AREA means any portion of an airport which is used or intended to be used for the landing and takeoff of aircraft.
- (i) MOBILE EQUIPMENT means any nonself-propelled vehicle or device in which persons or property may be transported.
- (j) MOTOR VEHICLE means any self-propelled vehicle.
- (k) OPERATION OF AIRCRAFT includes taxiing, flying and sitting at the controls of an aircraft while the engine is running or while the aircraft is moving or being moved.
- (l) PERMIT means written permission of the Director to engage in a specified activity at an airport.
- (m) PUBLIC AREA means any areas of an airport so designated by the Director with unobstructed access to the public. All field and landing areas as defined herein are not public areas.

*(Renumbered from Sec. 68.01 on 8-4-1970 by O-10355 N.S.)*

#### **§68.0102 Duties of the Director**

The Director shall be appointed by the City Manager and shall be in charge of and regulate all activities and operations carried on at all airports operated by the City including, but not limited to, maintenance and upkeep of airports, regulation of use of aircraft, regulation of vehicles used on the airport, regulation of business and commercial activities at the airport, providing the public with flight information and enforcement of Federal, State and City rules and regulations.

*(Renumbered from Sec. 68.02 on 8-4-1970 by O-10355 N.S.)*

#### **§68.0103 Operation of Motor Vehicles**

- (a) All persons who operate motor vehicles on an airport premises shall do so in accordance with applicable Federal, State and City rules and regulations.
- (b) Only vehicles authorized by the Director shall be operated in field areas of an airport.

- (c) The Director shall set and post the motor vehicle speed limit for all areas of an airport, but in no event shall any person operate a motor vehicle on any part of an airport in a manner or at a speed which is not reasonable and prudent, and in no event at a speed in excess of 30 miles per hour except in the case of an emergency.
- (d) No person shall operate a motor vehicle on an airport contrary to the directions of any posted regulation.
- (e) The operators of all motor vehicles shall yield to all moving aircraft. The operator of any motor vehicle passing any moving aircraft shall do so in a safe manner.
- (f) When parking adjacent to a runway all motor vehicles shall be parked parallel to and off of the runway and outside of the runway lights a minimum of 100 feet.
- (g) All vehicles authorized to operate on the runways, taxiways or aircraft parking areas of an airport shall be equipped with and operate while on such runway, taxiway or aircraft parking area either of the following items of equipment:
  - (1) Flashing amber light on top of vehicle; or
  - (2) Orange and white checkered flag not less than three feet square.
- (h) No motor vehicles shall be driven in, over or through areas marked as passenger lanes while aircraft are being loaded or unloaded in the field area.
- (i) While backing vehicles carrying gasoline or other fuel, the driver of such vehicle shall remain completely in the vehicle at all times.
- (j) Emergency conditions existing on the field area shall not operate to cancel any existing regulations as to vehicles not involved in the emergency and during such emergency conditions drivers of motor vehicles not involved in the emergency shall remain a safe distance away from the emergency area.

*(Renumbered from Sec. 68.03 on 8-4-1970 by O-10355 N.S.)*

**§68.0104 Movement of Vehicles**

The Director shall have the authority to move any motor vehicle at the expense of the owner or operator thereof when it is parked on an airport in violation of any rule or regulation or when such motor vehicle creates an unsafe condition.  
*(Renumbered from Sec. 68.04 on 8-4-1970 by O-10355 N.S.)*

**§68.0105 Motor Vehicle Licensing**

No person shall operate a motor vehicle on an airport which is not properly licensed.  
*(Renumbered from Sec. 68.05 on 8-4-1970 by O-10355 N.S.)*

**§68.0106 Motor Vehicle Lighting**

All vehicles operated on an airport shall be equipped with adequate headlights and taillights and should be kept lighted while in operation after sunset.  
*(Renumbered from Sec. 68.06 on 8-4-1970 by O-10355 N.S.)*

**§68.0107 Vehicle Reflectors**

All vehicles authorized to operate in a field area shall be equipped with two reflectors on the rear of such vehicle in addition to all other required equipment. Reflectors shall be red on motor vehicles and amber on mobile equipment and shall be visible from a distance of at least 500 feet under normal conditions.  
*(Renumbered from Sec. 68.07 on 8-4-1970 by O-10355 N.S.)*

**§68.0108 Radio Equipment**

- (a) All vehicles operating in a field area shall be equipped with a two-way radio and maintain continual receiver contact with the control tower unless otherwise authorized by the Director.
- (b) All vehicles without radio equipment permitted to operate in a field area shall not be driven or otherwise moved within a distance of 100 feet from the edge of a runway without clearance from the control tower. All directions given by standard light signals from any control tower shall be strictly adhered to and it shall be the responsibility of all operators of motor vehicles to know the meaning of and obey said standard light signals.  
*(Renumbered from Sec. 68.08 on 8-4-1970 by O-10355 N.S.)*

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**§68.0109 Vehicle Safety**

All vehicles located or operated on an airport shall be constructed, loaded, equipped and maintained in a safe condition.

*(Renumbered from Sec. 68.09 on 8-4-1970 by O-10355 N.S.)*

**§68.0110 Grounding**

All vehicles dispensing fuel shall have in use an adequate grounding system at all times while dispensing fuel or otherwise servicing aircraft.

*(Renumbered from Sec. 68.10 on 8-4-1970 by O-10355 N.S.)*

**§68.0111 Vehicle Operation in Hangar**

No person shall operate a motor vehicle in any hangar without adequate ventilation or exhaust protection and the permission of the hangar owner or lessee.

*(Renumbered from Sec. 68.11 on 8-4-1970 by O-10355 N.S.)*

**§68.0112 Passenger Loading Gates**

No person shall drive or cause to be driven any motor vehicle across a passenger loading area between an aircraft and a gate.

*(Renumbered from Sec. 68.12 on 8-4-1970 by O-10355 N.S.)*

**§68.0113 Passenger Carrier Vehicles**

No person operating a passenger carrier vehicle shall load or unload any person or persons or cause any person or persons to be unloaded at any place other than a place designated by the Director for such loading or unloading.

*(Renumbered from Sec. 68.13 on 8-4-1970 by O-10355 N.S.)*

**§68.0114 Repair of Vehicles**

No person shall repair or cause to be repaired any motor vehicle or vehicles at any place on an airport other than a place designated by the Director for such repairs.

*(Renumbered from Sec. 68.14 on 8-4-1970 by O-10355 N.S.)*

**§68.0115 Vehicle Parking**

No person or persons shall park or cause to be parked any vehicle or vehicles on an airport premises in any area other than those areas designated by the Director for parking. The Director may designate certain areas for parking of certain classes of vehicles or parking by certain designated persons, companies, corporations or other entities as he may deem necessary and appropriate.

*(Renumbered from Sec. 68.15 on 8-4-1970 by O-10355 N.S.)*

**§68.0116 Vehicle Parking Limits and Fees**

The Director shall have the authority to establish time limits and designate fees for the parking of vehicles on any area of an airport; such fees shall be paid as directed by the Director.

*(Renumbered from Sec. 68.16 on 8-4-1970 by O-10355 N.S.)*

**§68.0117 Accident Reports**

The operators of all vehicles which are involved in an accident on an airport shall make a detailed written report thereof to the Director and to the San Diego Police Department within ten (10) days of the date of said accident. All such reports shall include the names and addresses of all persons involved in and witness to the accident.

*(Renumbered from Sec. 68.17 on 8-4-1970 by O-10355 N.S.)*

**§68.0118 Aircraft Activity**

All aircraft operated in and around an airport whether in the air or on the ground shall be operated in accordance with all Federal, State and local laws, rules and regulations.

*(Renumbered from Sec. 68.18 on 8-4-1970 by O-10355 N.S.)*

**§68.0119 Airport Rates and Charges**

All guarantees, percentages, charges and fees shall be charged and collected under the authority of this section.

Aircraft landing fees for all commercial flight activities shall be charged when an airport is used for the origination or termination point for passenger, mail, cargo or

other revenue or utility type flights. Said aircraft landing fees shall not apply to persons holding a valid lease, agreement or permit for flight operations at an airport.

- (a) Aircraft landing fees for all commercial flight activities shall be based on a schedule of charges as determined by the City Manager.
- (b) Aviation fuel and oil delivered or distributed upon an airport shall be subject to charges as determined by the City Manager.

*(Renumbered from Sec. 68.19 on 8-4-1970 by O-10355 N.S.)*

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**§68.0120 Use of Airport**

The Director shall have the authority for good cause appearing to him to deny any person admission to an airport by any means.

*(Renumbered from Sec. 68.20 on 8-4-1970 by O-10355 N.S.)*

**§68.0121 Business or Commercial Activity**

No person shall engage in any business or commercial activity of any nature on an airport unless authorized by the City.

*(Renumbered from Sec. 68.21 on 8-4-1970 by O-10355 N.S.)*

**§68.0122 Restricted Areas**

No person shall enter a control tower, field area, utility service room or any other restricted area of an airport without the permission of the Director or any other government agency which may be in control of such area. A restricted area is any area to which the public does not have unobstructed access or any area so designated by the Director.

*(Renumbered from Sec. 68.22 on 8-4-1970 by O-10355 N.S.)*

**§68.0123 Activities in General**

All activities of any nature conducted on an airport shall be subject to the regulation and control of the Director.

*(Renumbered from Sec. 68.23 on 8-4-1970 by O-10355 N.S.)*

**§68.0124 Use of Designated Areas**

All activities on an airport shall be conducted and vehicles operated only in such areas as are authorized by the Director except in a case of an emergency.

*(Renumbered from Sec. 68.24 on 8-4-1970 by O-10355 N.S.)*

**§68.0125      Animals**

No person shall permit any animal owned by him or in his care, custody or control to enter an airport unless such animal is properly restrained by a leash or otherwise adequately confined.

*(Renumbered from Sec. 68.25 on 8-4-1970 by O-10355 N.S.)*

**§68.0126      Hazardous Materials**

No person shall keep or store or cause to be kept or stored in any manner on an airport any materials which constitute in the opinion of the Fire Marshal a fire hazard.

*(Renumbered from Sec. 68.26 on 8-4-1970 by O-10355 N.S.)*

**§68.0127      Trash**

All persons engaged in any activity on any area of an airport including, but not limited to, lessees of the City, shall keep that area free of any waste material, rubbish or refuse of any kind or nature, and shall provide receptacles acceptable to the Director for the disposal of such waste material, rubbish or refuse.

*(Renumbered from Sec. 68.27 on 8-4-1970 by O-10355 N.S.)*

**§68.0128      Weapons**

No person, except authorized personnel of a governmental agency or persons licensed by the San Diego Police Department, shall carry or otherwise possess any kind of weapon or explosive on an airport. This section shall not apply to persons carrying weapons which are disassembled and transported for any lawful purpose.

*(Renumbered from Sec. 68.28 on 8-4-1970 by O-10355 N.S.)*

**§68.0129      Fuel Storage**

No person shall place, keep or store or cause to be placed, kept or stored any gasoline, oil or solvent in drums or any other fuel receptacle on apron or ramp areas of an airport. All of such items shall be kept covered in a place or places designated by the Director.

*(Renumbered from Sec. 68.29 on 8-4-1970 by O-10355 N.S.)*



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**68.0130 Open Flame Operations**

No person shall conduct any open flame operations on an airport without prior written approval of the Fire Marshal.

*(Renumbered from Sec. 68.30 on 8-4-1970 by O-10355 N.S.)*

**§68.0131 Smoking**

No person shall *smoke* or *vape* at any place on an airport where *smoking* is prohibited. The Director shall have the authority to prohibit *smoking* or *vaping* at any place on the airport. For purposes of this section, the terms *smoke*, *smoking*, *vape*, and *vaping* have the same meanings as in San Diego Municipal Code section 43.1001.

*(Renumbered from Sec. 68.31 on 8-4-1970 by O-10355 N.S.)*

*(Amended 10-2-2014 by O-20408 N.S.; effective 11-1-2014.)*

**§68.0132 Special Notices**

Special notices or directives regarding use of an airport or part thereof may be issued at such times and in such manner as is deemed necessary by the Director.

*(Renumbered from Sec. 68.32 on 8-4-1970 by O-10355 N.S.)*

**§68.0133 Emergency Procedures**

Emergency procedures shall be issued by the Director, which procedures shall be strictly complied with by all persons during emergency conditions.

*(Renumbered from Sec. 68.33 on 8-4-1970 by O-10355 N.S.)*

**§68.0134 Damage to Airport**

Any person who damages or causes to be damaged any airport property shall immediately report such damage to the Director.

*(Renumbered from Sec. 68.34 on 8-4-1970 by O-10355 N.S.)*

**§68.0135 Flight Operations — Tower Controlled Airports**

- (a) All persons landing or taking off an aircraft from an airport which has a control tower in operation shall have said aircraft equipped with an operating two-way radio which receives frequencies used by the control tower of said airport. All of such radios shall be operated while the aircraft is in the control zone of said airport and shall not be turned off until the aircraft is parked in a designated parking area and the engine shut off.
- (b) Aircraft operations shall be confined to authorized and designated areas only.

- (c) All student pilots, prior to making their first solo flight, shall spend a minimum of one hour in the FAA control tower on said airport while aircraft are landing and taking off, observing such traffic and all tower procedures.

*(Renumbered from Sec. 68.35 on 8-4-1970 by O-10355 N.S.)*

#### **§68.0136 Flight Operations — Non-Tower Controlled Airports**

No person shall conduct or cause to be conducted any flight operations at an airport not having a control tower in operation except in accordance with the posted air traffic patterns and local flight regulations for the airport.

*(Renumbered from Sec. 68.36 on 8-4-1970 by O-10355 N.S.)*

#### **§68.0137 Registration of Commercial Aircraft**

The pilot of any commercial aircraft landing at any airport shall, immediately after landing, register at the airport operations office and pay any and all fees or charges which may be imposed under the authority of this article.

*(Renumbered from Sec. 68.37 on 8-4-1970 by O-10355 N.S.)*

#### **§68.0138 General Flight Regulations**

- (a) All landings and takeoffs shall be made by all persons according to the directions of the control tower or if there is no control tower, as indicated by the landing direction indicator and the segmented circle or by the posted air traffic patterns and flight regulations.
- (b) No person shall land or takeoff in an unsafe manner.
- (c) No person shall make or cause to be made a simulated forced landing without prior permission from the control tower or if there is no control tower such simulated forced landing shall be made only in accordance with all posted air traffic patterns and in a safe manner.
- (d) No person shall make or cause to be made any unsafe maneuver with an aircraft in any air traffic pattern at any airport.
- (e) No person shall fly an aircraft in the air space immediately above an airport which does not have a control tower at an altitude of less than 500' above the published pattern altitude, except in the case of landing or taking off.
- (f) All landings and takeoffs shall be made on a runway area unless an emergency condition exists or unless prior approval is obtained from the Director.

- (g) All landings and takeoffs shall be made in a reasonable and safe manner with regard to the condition of the field and the proximity of all other aircraft.

*(Renumbered from Sec. 68.38 on 8-4-1970 by O-10355 N.S.)*

**§68.0139 Aircraft Equipment**

No person shall operate an aircraft on any airport unless such aircraft is adequately equipped and in a safe condition.

*(Renumbered from Sec. 68.39 on 8-4-1970 by O-10355 N.S.)*

**§68.0140 Engine Warm-Up**

No person shall warm-up an engine of any aircraft prior to takeoff except in an area designated for such warm-up by the Director, and in no event in any areas on the airport where it would create an unsafe condition. No person shall leave an aircraft unattended while its engine is running.

*(Renumbered from Sec. 68.40 on 8-4-1970 by O-10355 N.S.)*

**§68.0141 Taxiing of Aircraft**

- (a) No person shall taxi an aircraft in a manner which creates an unsafe condition.
- (b) No person other than a properly licensed pilot shall sit at the controls of any aircraft while such aircraft is being started, taxied or operated in any manner. A licensed aircraft mechanic may start and sit at the controls of a non-moving aircraft for maintenance and testing purposes.
- (c) All aircraft shall be taxied in accordance with prescribed patterns.
- (d) Blocks shall be placed in front of aircraft wheels before handstarting the engine or engines thereof unless the aircraft is provided with adequate parking brakes.
- (e) No person shall taxi an aircraft onto a runway until cleared by the control tower, or at non-tower controlled airports, until it is safe to do so.
- (f) No person shall taxi an aircraft except on areas designated therefor.
- (g) No person shall taxi an aircraft into or out of a hangar or other building unless authorized to do so by the Director.

*(Renumbered from Sec. 68.41 on 8-4-1970 by O-10355 N.S.)*

**§68.0142      Fueling Operations**

- (a) No person shall fuel or defuel any aircraft or cause any aircraft to be fueled or defueled while the engine of such aircraft is running or while it is in a hangar or other enclosed space.
- (b) No person shall smoke within 50' of an aircraft which is being fueled or defueled.
- (c) No person shall operate or cause to be operated any radio or other electrical apparatus in an aircraft which is being fueled or defueled.
- (d) During fueling or defueling, both the aircraft and the fuel dispensing apparatus shall be adequately grounded.
- (e) All fueling and defueling operations shall be conducted in a manner which will not create an unsafe condition.
- (f) Adequate fire extinguishers shall be accessible during all fueling and defueling operations.
- (g) No person shall start or cause to be started the engine or engines of any aircraft when there is any fuel, petroleum product or other combustible material on the ground or in the vicinity of such aircraft.
- (h) All fueling and defueling equipment shall be maintained in a safe condition at all times.
- (i) No person shall fuel or defuel or cause to be fueled or defueled any aircraft while the engine of such aircraft is running.
- (j) No person shall fuel or defuel or cause to be fueled or defueled any aircraft except at a safe distance from hangars or other airport buildings.
- (k) No aircraft with a seating capacity of more than eight persons shall be fueled or defueled while passengers are on board the aircraft unless a passenger-loading ramp is at the aircraft door, the aircraft door is in the open position, and a competent attendant is present at or near the cabin door.
- (l) No person shall bring or cause aircraft fuel to be brought on any airport for the purpose of fueling their own aircraft unless authorized to do so by the Director.

*(Renumbered from Sec. 68.42 on 8-4-1970 by O-10355 N.S.)*

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**§68.0143 Radio Operations**

No person shall operate or cause to be operated any radio equipment in an aircraft when any maintenance work is being performed on such aircraft, other than radio maintenance work.

*(Renumbered from Sec. 68.43 on 8-4-1970 by O-10355 N.S.)*

**68.0144 Pilot Certificates**

All persons landing, taking off or otherwise operating aircraft on an airport shall upon the request of the Director present for inspection his pilot certificate or medical certificate, or both.

*(Renumbered from Sec. 68.44 on 8-4-1970 by O-10355 N.S.)*

**§68.0145 Restriction of Flight Operations**

The Director may for good cause restrict, prohibit, divert, delay or refuse any landing, takeoff or other flight operations at any airport.

*(Renumbered from Sec. 68.45 on 8-4-1970 by O-10355 N.S.)*

**§68.0146 Payment of Charges**

The payment of all charges shall be made prior to takeoff unless other arrangements are approved by the Director. The Director shall have the authority to detain any aircraft for nonpayment of charges.

*(Renumbered from Sec. 68.46 on 8-4-1970 by O-10355 N.S.)*

**§68.0147 Parking of Aircraft**

No person shall park or cause to be parked an aircraft in any area on the airport other than those areas authorized by the Director.

*(Renumbered from Sec. 68.47 on 8-4-1970 by O-10355 N.S.)*

**§68.0148 Tampering with Aircraft**

No person shall tamper or interfere with any aircraft on the airport.  
(Renumbered from Sec. 68.48 on 8-4-1970 by O-10355 N.S.)

**§68.0149 Disabled Aircraft**

All disabled aircraft and parts thereof which are on the field area shall be promptly removed therefrom by the owner unless otherwise authorized by the Director. The Director may order such disabled aircraft or parts removed from the field area at the expense of the owner thereof.  
(Renumbered from Sec. 68.49 on 8-4-1970 by O-10355 N.S.)

**§68.0150 Agricultural Aircraft**

No person shall cause any aircraft which is intended to be used during its flight after takeoff for agricultural purposes including, but not limited to, crop dusting and insect spraying, to takeoff from an airport without express permission from the Director.  
(Renumbered from Sec. 68.50 on 8-4-1970 by O-10355 N.S.)

**§68.0151 Experimental Flights**

No experimental flights or ground tests of any aircraft shall be conducted without approval of the Director.  
(Renumbered from Sec. 68.51 on 8-4-1970 by O-10355 N.S.)

**§68.0152 Cleaning and Repair of Aircraft**

No person shall cause any aircraft to be cleaned, painted, doped or otherwise repaired in any area other than one approved by the Director. All of such operations shall be conducted in a safe manner and conditions which are acceptable to the Director.  
(Renumbered from Sec. 68.52 on 8-4-1970 by O-10355 N.S.)

**§68.0153 Aircraft Accident Reports**

All persons involved in aircraft accidents occurring on the airport shall make a full written report thereof to the Director within ten (10) days of the date of said accident.  
(Renumbered from Sec. 68.53 on 8-4-1970 by O-10355 N.S.)

**§68.0155 Purpose and Intent**

The Council of The City of San Diego finds and declares that:

- (a) The City of San Diego is the proprietor and operator of Montgomery Field Airport located within the City of San Diego's corporate limits; and
- (b) The City as the Airport proprietor has the authority to adopt reasonable rules regulating the use of such Airport; and
- (c) As the result of testimony at hearings held by the City Council on the adoption of the Montgomery Field Airport Master Plan, and complaints received by City officials from persons living in the vicinity of the Airport, it is apparent that the landing and takeoff of certain aircraft is causing a noise disturbance in residential areas in close proximity to the Airport; and
- (d) The City Council has directed, by Resolution No. R-261161 adopted July 10, 1984, that single event aircraft noise level limits be established for day and night hours of operation; and
- (e) On October 14, 1985, the City Council adopted Ordinance No. O-16517 (New Series) establishing a maximum noise level of 70 decibels for aircraft operating at Montgomery Field Airport between the hours of 11:30 p.m. and 6:30 a.m.; and
- (f) It is desirable that the Montgomery Field Airport nighttime noise level limits and daytime noise level limits be incorporated into a single document; and
- (g) It is in the public interest that noise mitigation measures set forth in this Division be adopted to insure the peace and tranquility of such residential neighborhoods without impairing the ability of the Airport to serve the general aviation needs of the community.

*(Amended 10-6-1986 by O-16720 N.S.)*

**§68.0156 Definitions**

For the purpose of this Division, the following definitions shall apply:

- (a) Decibel. A unit measure of sound (noise) level.

- (b) Emergency. Any unanticipated landing or departure reasonably necessary to protect persons or property from exposure to damage or danger.
- (c) Landing. The flight of an aircraft from the time it descends below 1,000 feet above ground level for its landing approach until it is taxied from the runway.
- (d) Low Approach. An action by an aircraft consisting of an approach over the Airport for a landing where the pilot intentionally does not make contact with the runway.
- (e) Maximum Sound Level. In decibels, is the highest sound level reached at any instant using slow weighting as defined in American National Standard ANSI S1.4-1983 entitled "Specifications of Sound Level meters" during the time interval used in measuring the sound exposure level of a single event.
- (f) Single Event Noise Exposure Level (SENEL). For the purpose of this Article, the single event noise exposure level (SENEL), in decibels, is the sound exposure level of a single event, such as an aircraft fly-by, measured over the time interval between the initial and final times for which the sound level of a single event exceeds the threshold sound level. For implementation of the provisions of this Division, the threshold sound level shall be at least 20 decibels below the numerical value of the single event noise exposure level limits specified in section 68.0158.
- (g) Sound Exposure Level. The level of sound accumulated during a given event, with reference to a duration of one second. More specifically, sound exposure level, in decibels, is the level of the time-integrated A-weighted squared sound pressure for a stated time interval or event, based on the reference pressure of 20 micronewtons per square meter and reference duration of one second.
- (h) Takeoff. The flight of an aircraft from the time it commences its departure on the runway until it has attained an altitude of 1,000 feet above the ground level.
- (i) Stop and go. The action by an aircraft consisting of a landing followed by a complete stop on the runway and takeoff from that point.
- (j) Touch and go. The action by an aircraft consisting of a landing and a departure on a runway without stopping or exiting the runway.

*(Amended 10-6-1986 by O-16720 N.S.)*



**§68.0157 Penalties**

- (a) It shall be unlawful and an infraction for any person to operate, pilot, or permit to be operated or piloted an aircraft in violation of Sections 68.0158 or 68.0160.
- (b) In addition to the provisions of subsection (a) above, the Director, pursuant to his authority under San Diego Municipal Code Sections 68.0145 and 68.0123 may impose other restrictions or sanctions which in his opinion will further the goals of the noise abatement program.

*(Amended 10-6-1986 by O-16720 N.S.)*

**§68.0158 Aircraft Noise Limit**

- (a) Except as provided in Section 68.0159, no aircraft taking off or landing at Montgomery Field Airport between the hours of 6:30 a.m. and 11:30 p.m. of the same day shall exceed a maximum sound level of 88 decibels or a single event noise equivalent level of 94 decibels measured at any point between ground level and twenty (20) feet above ground level outside of the Airport boundary in any area zoned and used for residential purposes.
- (b) Except as provided in Section 68.0159, no aircraft taking off or landing at Montgomery Field Airport between the hours of 11:30 p.m. and 6:30 a.m. of the following day shall exceed a maximum sound level of 70 decibels or a single event noise equivalent level of 76 decibels measured at any point between ground level and twenty (20) feet above ground level outside of the Airport boundary in any area zoned and used for residential purposes.

*(Amended 10-6-1986 by O-16720 N.S.)*

**§68.0159 Aircraft Noise Limit Exemption**

The following aircraft shall be exempt from the provisions of Section 68.0158:

- (a) Aircraft operated by the United States of America or the State of California.
- (b) Law enforcement, emergency, fire or rescue aircraft operated by county or city agencies.
- (c) Aircraft used for emergency purposes during an emergency which has been officially proclaimed by competent authority pursuant to the laws of the United States, said state or city.

- (d) Civil Air Patrol aircraft when engaged in actual search and rescue missions.
- (e) Aircraft engaged in landings or takeoffs while conducting tests under the direction of the Noise Abatement officer.
- (f) Aircraft used for the emergency medical transportation of sick or injured people when the nighttime operation of the aircraft is essential for the health or welfare of the patient.

*(Amended 10-6-1986 by O-16720 N.S.)*

#### **§68.0160 Prohibited Operations**

No touch and go operations, stop and go operation, or a low approach shall be permitted at Montgomery Field Airport between the hours of 11:30 p.m. and 6:30 a.m.

*(“Prohibited Operations” added 10-14-1985 by O-16517 N.S.)*

#### **§68.0161 Culpability of Instructor Pilots**

In the case of any training flight in which both an instructor pilot and a student pilot are in the aircraft which is flown in violation of any of the provisions of this Division, the instructor pilot shall be presumed to have caused such violation.

*(“Culpability of Instructor Pilots” added 10-14-1985 by O-16517 N.S.)*

#### **§68.0162 Culpability of Aircraft owner or Lessee**

For purposes of this Division, the beneficial owner of an aircraft shall be presumed to be the pilot of the aircraft with authority to control the aircraft’s operations, except that where the aircraft is leased, the lessee shall be presumed to be the pilot. Such presumption may be rebutted only if the owner or lessee identifies the person who in fact was the pilot at the time of the asserted violation.

*(“Culpability of Aircraft owner or Lessee” added 10-14-1985 by O-16517 N.S.)*

#### **§68.0163 Designated Officers and Employees**

The City Noise Abatement officer and any other City employee as are designated by the Noise Abatement officer, all acting under the direction and control of the City Manager, shall have the duty and authority to enforce the provisions of this Division.

*(“Designated Officers and Employees” added 10-14-1985 by O-16517 N.S.)*

**§68.0164 Denial of Use of Airport**

In the event that any person has been convicted by a court of competent jurisdiction or has been determined by the City Manager or his designate to be in violation three or more times of the provisions of Section 68.0158 or 68.0160, or of any other laws, rules or regulations of the City, state or federal government pertaining to the use of the Airport (including forfeiture of bail after being arrested or charged by citation or complaint with any such violation) within a three-year period, then for a period of three years thereafter, such person shall be denied the right to land or takeoff from the Airport, except in bona fide emergencies for the preservation of life or property as reasonably determined by the Airport Deputy Director. Such person shall also be denied the right to lease, rent or use space for aircraft (including tie-down) at the Airport insofar as the City has the right to deny the use of the Airport.

*(Amended 10-6-1986 by O-16720 N.S.)*

**§68.0165 Unlawful to Use Airport After Use Denied**

It shall be a misdemeanor for any person to land an aircraft on or takeoff an aircraft from the Airport or lease or rent space (including tie-down) for aircraft at the Airport after the use of the Airport has been denied in accordance with the provision of Section 68.0164.

*(“Unlawful to Use Airport After Use Denied” added 10-14-1985 by O-16517 N.S.)*

**§68.0166 Registration of Aircraft**

- (a) The Airport Deputy Director shall keep a register of aircraft based at the Airport. The names, addresses and other reasonable identification, as determined by the Airport Deputy Director, of the legal and beneficial owners, the lessee (if any), the operators and the authorized pilots of each such aircraft shall be entered in the register.
- (b) For purposes of this Division, an aircraft which remains at the Airport for a period longer than 24 consecutive hours or for a cumulative time of more than 72 hours in any 30 day period shall be deemed to be based at the Airport. (c) It shall be unlawful for any owner, lessee, operator or pilot of any aircraft based at the Airport to fail to register such aircraft with the Airport Deputy Director.

*(“Registration of Aircraft” added 10-14-1985 by O-16517 N.S.)*

**§68.0167 Severability of Provisions**

If any section, subsection, sentence, clause or phrase of this Division is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Division. The City Council hereby declares that it would have passed this ordinance and each section subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

*(“Severability of Provisions” added 10-14-1985 by O-16517 N.S.)*

**§68.0168 Manner of Enforcement**

- (a) Violations of this Division shall be prosecuted in the same manner as other violations of the San Diego Municipal Code; however, nothing in this Division shall preclude the Noise Abatement officer in his enforcement of the provisions of this Division for which he is responsible, from making efforts to obtain voluntary compliance by way of warning notice or educational means.
- (b) Violations of Section 68.0158 or 68.0160 may be processed by an administrative hearing conducted by the Deputy Director, Airports Division, General Services Department. A copy of the Rules and Procedures for such hearing shall be kept on file in the office of the Deputy Director.

*(Amended 10-6-1986 by O-16720 N.S.)*